

Washington State Department of Ecology Regulatory Improvement Brief Sheet

Working With You *Ecology's Transformation Activities and Initiatives*

The Washington State Department of Ecology (Ecology) has embarked on an ambitious agenda to transform and focus the agency around the following vision: *"The citizens of Washington trust that our employees will support and assist them in promoting the sustainable environmental and economic well-being of the state."* Ecology's intent is to improve the timeliness and predictability of its permitting and regulatory processes, as well as to cultivate a supportive and problem-solving culture built on helpful, responsive, and knowledgeable governmental service without lowering environmental standards. This brief sheet highlights progress on several of Ecology's key transformation activities.

I. Improve Ecology's Business Practices To Achieve Timeliness And Predictability.

- ◆ **Establish and meet timeliness performance targets to focus on timely permit decisions.**

Ecology has developed timeliness targets for ten permits administered by the agency that may be required for business development. Some of these are "stretch" targets that result in significantly faster turnaround times (e.g. the pilot 90-day target for 401 certifications) and some are aimed to create clear expectations between an applicant and Ecology. The agency tracks performance, reports to the Governor's Office, and posts on a quarterly basis its progress in meeting these timeliness targets. Quarterly progress reports illustrate: (1) percentage of total decisions meeting the prescribed timeliness target; and (2) average time frames.

Ecology is just finalizing its first annual assessment of our timeliness performance. Our 401 certification pilot has been very successful where applications at our NWRO have been processed on average in less than 90 days. For other permit types, we are also meeting our targets based on average days, but are missing the absolute targets in some cases. Where targets have not been met, Ecology has found temporary staff shortages and applicant requested delays to be most significant. In several cases however, Ecology has also uncovered procedural processing issues that have warranted focused Ecology attention. Timeliness targeting has led to increased attention by permit managers to permit timeliness, better information, and greater (and clearer) communication with permit applicants.

- ◆ **Provide flowcharts and guidance materials so that our permit processes are clear.**

Last summer and fall, Ecology retained private sector assistance to develop permit process flowcharts that would clearly and schematically describe the steps, sequence, and timing of key permit decision-making processes. These flowcharts have been drafted and will be posted to the internet this winter. They will be a big help to applicants who are unfamiliar with environmental permitting and can be used as a tool between applicants and permit reviewers so that mutual expectations can be discussed and planned. Draft flowcharts can be viewed at WWW.ECOLOGYDEV.ECY.WA.GOV/SERVICES/IS/PPDS_INFO/REVIEW.HTM.

Our Air Quality Program has created a permit application primer entitled “How to Apply for a Notice of Construction” that is available on our web site.

- ◆ **Increase helpfulness of information on the internet.**

Ecology continues to retool its website to better and more clearly communicate its business. Recent additions include a new “Working With You” (see WWW.ECY.WA.GOV/QUALITY/SERVICE/SVC_INDEX.HTM) section to profile and underscore the agency’s transformation commitments and efforts, as well as a new “real-time” version of its popular permit handbook where latest permitting descriptions are housed (see APPS.ECY.WA.GOV/PERMITHANDBOOK). Future web-based additions for this winter include the above reference permit processing schematics, as well as clearer application guidance materials, templates, and “complete application” examples.

- ◆ **Institute pre-application conferences in our Regional Offices.**

Regionalized Ecology staff working for the state Office of Regulatory Assistance (WWW.ORA.WA.GOV) regularly work with applicants and project proponents early-on to identify permitting and regulatory application requirements, as well as to define, set, and facilitate critical path decision-making. Several recent examples of projects benefiting from these pre-application and process facilitation assistance services are provided below in Exhibit 1.

Exhibit 1

PROJECT	COUNTY
✓ Westport Links Golf Course	Grays Harbor
✓ Cardinal Glass Project Siting And Permitting	Lewis
✓ Port Of Tacoma Expansion Blair Waterway	Pierce
✓ WSDOT Cross-Base Highway	Pierce
✓ Elwha River Restoration	Clallam
✓ Equapac Chemical Plant	Cowlitz
✓ GSX Pipeline	Skagit, San Juan
✓ Monorail	King
✓ Boeing-Renton Property Transfer	King

✓	Boeing Rail-Barge Transfer Facility	Snohomish
✓	Darrington Co-Generation Energy	Snohomish
✓	Snohomish Bio-Gas	Snohomish
✓	Pend Oreille Mine	Pend Oreille
✓	7E7 — Moses Lake	Grant
✓	Pacific Rim Ethanol	Grant
✓	Black Sands Mushroom Substrate Facility	Grant
✓	Biodiesel/Straw Gasification Project	Lincoln And Whitman
✓	Waneta Hydroelectric Dam Expansion	BC/WA Border
✓	Buckhorn Mountain	Okanogan

- ◆ **Continuously improve our processes (e.g., redesign 401 permitting, speeding up water-right changes/transfers).**

The 401 water quality certification pilot permitting process (i.e., so-called “90/90/10” process) conducted last year out of Ecology’s Northwest Regional Office (NWRO) will be expanded into a statewide expedited permitting process beginning January ‘04 with the rollout of a new 401 permit tracking database. The new database will allow decision timeliness to be tracked from the receipt of an application clear through to the issuance of a final decision. The database will automatically generate reminders to permit managers when target dates are pending, as well as performance reports due. Exhibit 2 provides a sample screen from the new database.

Exhibit 2

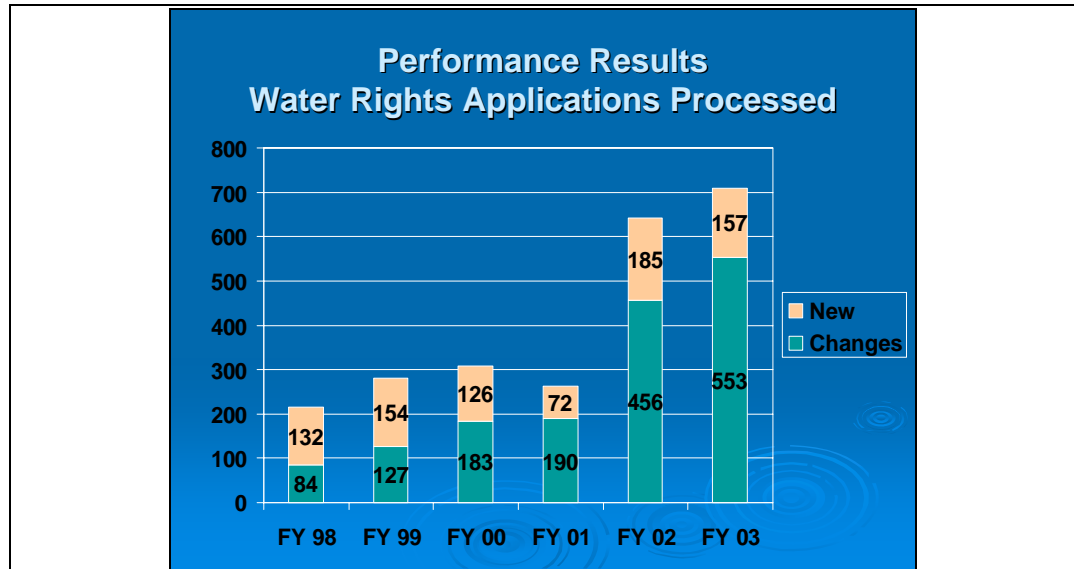
The screenshot displays a web application titled "Project Details". At the top, there are navigation tabs: Home, Aquatics_Find, Reports, and Help. Below the tabs, the main content area is divided into several sections:

- Project Details Table:** A table with columns for Project Name, Federal Reference #, Project Type, and Trigger. It includes sub-headers for Applicant, Agent, County, Federal Action, Statutory Dt, Ecology Action, Docket #, Project Status, Processing Step, STR, Water Body, Trigger Date, Last Updated Date, Last Updated User, and Project Manager.
- Buttons:** "SAVE" and "BACK" buttons are located below the Project Details table.
- Processing Days Section:** Includes fields for Total Processing Days, ECY Processing Days, and 90/90 Processing Days.
- Next Processing Step Section:** Includes a "Remark" field, a "Next Action" dropdown menu (set to "Hold For Information"), an "Action Start Date" (10/23/2003), a "Remind Date" (10/09/2003), and a "Due Date" field.
- Processing History Table:** A table with columns: Action, Step, Started, Remind, Due, Ended, Days In Process, and Remark.
- Communications Table:** A table with columns: Type, Date, Initiated By, Directed To, ECY Response Needed, Action Needed, Remind Date, Due Date, Completed Date, Completed By, and Days In Process. It includes an "ADD" button.
- Associated Documents Table:** A table with columns: Document Name, Document Type, Submitted By, Date Received, Review Due Date, Review Reminder Date, Review Completed Date, Reviewed By, and Days In Process. It includes an "ADD" button.

Water rights application processing has received increased focus from Ecology and the legislature over the past year and a half. Ecology issued a progress report

to the legislature in February 2003 that can be viewed at WWW.ECY.WA.GOV/PUBS/0311006.PDF. Using additional funding and flexibility Ecology more than doubled the rate of application processing compared to previous years (see Exhibit 3).

Exhibit 3



◆ **Advance transportation permit streamlining.**

Ecology actively participates in the multi-party TPEAC process (see Transportation Permit Efficiency and Accountability Committee at WWW.WSDOT.WA.GOV/ENVIRONMENT/STREAMLINEACT) which continues to implement innovative streamlining solutions to more efficiently mitigate transportation impacts to the environment. Recent examples include:

- Kick-off of first multi-agency transportation permitting team at Ecology's NWRO (see Exhibit 4, as well as ACCESS.WA.GOV/NEWS/2003/OCT/N2003914_6863.ASPX);

Exhibit 4



- Drafting (November '03) and adoption (winter '04) of first multi-agency programmatic approval whereby a single set of standards – agreeable to multiple agencies – is developed and adopted for discrete activities of the

- *Washington State Department of Transportation (e.g., in this first case for “Maintenance of Over-Water Structures”); and*
- *Piloting of an off-site, watershed-based, alternative mitigation approach along the I-405 corridor (fall '03 and winter '04).*

II. Institute A Problem Solving Culture To Achieve Helpful, Responsive And Knowledgeable Service.
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◆ **Confer with Regulatory Performance Advisors.**

Ecology continues to meet with its Regulatory Performance Advisors Group (RPAG). During this last year, each Ecology division with permitting and regulatory responsibilities was given an opportunity to present its regulatory streamlining efforts, and challenges, for discussion with RPAG.

◆ **Develop program-specific goals, strategies and measures.**

As Ecology divisions have developed their program plans for the next biennium, they've incorporated key Transformation strategies. As well, Ecology just finished holding our first ever workshop with all Ecology managers and supervisors across the state, focused on incorporating Transformation strategies into our everyday business.

◆ **Solicit feedback from staff and our customers through surveys.**

In the fall of 2002, Ecology completed a survey of its permitting customers to obtain baseline data on customer service, business relationships, permit processes, and economic competitiveness and to focus our Transformation efforts based on customer feedback. We are currently gathering permit applicant information from Ecology divisions to perform a follow-up survey this year so that we can measure our progress. See www.ecy.wa.gov/pubs/0301001.pdf for an on-line copy of the 2002 survey.